

Summary of October 27, 2005 Air Resources Board Meeting Consideration of ARB/Railroad Statewide Agreement

At the October 27, 2005 ARB meeting the Board received a report from staff on the June 2005 ARB/Railroad Statewide Agreement. The Board also received and considered numerous written submittals and the testimony of 74 witnesses. At the conclusion of the meeting the Board deferred a formal decision to either ratify or rescind the Agreement, and determined that it would revisit this item at its January 26, 2006 meeting.

In the interim the Board directed staff to work with the participating railroads to clarify several provisions of the Agreement. Items to be clarified include the circumstances under which the participating railroads might be released from their obligations to implement the Agreement, how the Agreement affects the existing programs and enforcement practices of local agencies, and what limitations, if any, the Agreement might create for other agencies that seek to reduce air pollution associated with rail operations. The Board emphasized the need for staff to continue and increase its efforts to work with community stakeholders and air districts in connection with rail yard emissions. The Agreement remains in effect during this period.

In response to the Board's direction, staff is committed to work with the participating railroads, air districts, and community members in order to successfully implement the Agreement and achieve the anticipated emission reductions. The staff will report back to the Board in January on clarifications of the Agreement that have been identified and progress in implementing the Agreement. At that meeting the Board will again consider what action is warranted relative to the Agreement. The Board announced that it would allow additional testimony at the January meeting, limited to comments on any proposed clarifications of the Agreement.